

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

YORKTOWN CENTRAL  
SCHOOL DISTRICT,

Plaintiff,

Civil Action No. 07-CIV-8648

vs.

MONSANTO COMPANY,  
PHARMACIA CORPORATION,  
PECORA CORPORATION AND  
JOHN DOES 1-20.

Defendants.

**MOTION TO ADMIT COUNSEL**

**PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Kevin J. Madonna a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: BRIAN H. BARR  
Firm Name: Levin Papantonio  
Address: 316 South Baylen Street – Suite 600  
City/State/Zip: Pensacola, Florida 32502  
Phone Number: (850) 435-7074  
Fax Number: (850) 436-6074

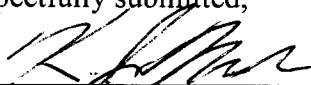
BRIAN H. BARR is a member in good standing of the Bar of the State of Florida.

There are no pending disciplinary proceeding against BRIAN H. BARR in any State or Federal court.

Dated: 3-15-08

City, State: Hurley NY 12443

Respectfully submitted,

  
Kevin J. Madonna  
SDNY Bar KM-5595  
Kennedy & Madonna, LLP  
48 Dewitt Mills Road  
Hurley, New York 12443  
Phone: (845) 331-7514

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YORKTOWN CENTRAL  
SCHOOL DISTRICT,

Plaintiff,

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JOHN DOES 1-20.

Defendants.

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AFFIDAVIT OF  
KEVIN J. MADONNA  
IN SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE

State of New York     )  
                                  )  
County of New York    )

Kevin J. Madonna, being duly sworn, hereby deposes and says as follows:

1. I am a Partner at Kennedy & Madonna, LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Brian H. Barr as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1999. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Brian H. Barr since 1998.
4. Mr. Barr is a Partner at Levin Papantonio, Pensacola, Florida.
5. I have found Mr. Barr to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Brian H. Barr, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Brian H. Barr, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Brian H. Barr, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: 3/15/08

City, State: Hurley, NY

Notarized:

*Victoria E. Madonna*

**VICTORIA E. MADONNA**  
**Notary Public, State of New York**  
**No. 02MA6003111**  
**Qualified in Columbia County**  
**Commission Expires Feb. 23, 2010**

Respectfully submitted,

*Kevin J. Madonna*

Kevin J. Madonna  
SDNY Bar Code: KM-5595

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YORKTOWN CENTRAL  
SCHOOL DISTRICT,

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PHARMACIA CORPORATION,  
PECORA CORPORATION AND  
JOHN DOES 1-20.

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Defendants.

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Upon the motion of Kevin J. Madonna attorney for Plaintiff and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: BRIAN H. BARR

Firm Name: Levin Papantonio

Address: 316 South Baylen Street – Suite 600

City/State/Zip: Pensacola, Florida 32502

Phone Number: (850) 435-7074

Fax Number: (850) 436-6074

Email Address: [BBarr@levinlaw.com](mailto:BBarr@levinlaw.com)

is admitted to practice pro hac vice as counsel for Yorktown Central School District in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: \_\_\_\_\_

City, State: \_\_\_\_\_

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United States District Judge Stephen C. Robinson

**UNITED STATES DISTRICT COURT**

**WILLIAM M. MCCOOL**  
CLERK OF COURT  
111 N. ADAMS STREET  
TALLAHASSEE, FLORIDA 32301-7717  
850.521.3501  
850.521.3656 FAX

**NORTHERN DISTRICT OF FLORIDA  
OFFICE OF THE CLERK**

**SHEILA HURST-RAYBORN**  
CHIEF DEPUTY CLERK  
111 N. ADAMS STREET  
TALLAHASSEE, FLORIDA 32301-7717  
850.521.3501  
850.521.3656 FAX

*Visit our web site at [www.flnd.uscourts.gov](http://www.flnd.uscourts.gov)*

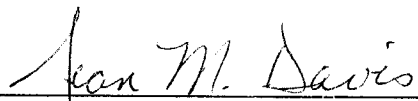
Reply to: Pensacola Division

March 10, 2008

**CERTIFICATE OF GOOD STANDING**

I, WILLIAM M. MCCOOL, Clerk of the United States District Court for the Northern District of Florida, DO HEREBY CERTIFY THAT **Brian Hugh Barr, Florida Northern District Bar Number 0493041** was duly admitted to practice in this Court on April 19, 2002, and is in good standing as a member of the bar of this Court.

**WILLIAM M. MCCOOL, CLERK OF COURT**

By:   
JEAN M. DAVIS, Deputy Clerk

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*The mission of the Office of the Clerk of the Northern District of Florida is to provide superior service to the public and the Court.*

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Gainesville Division  
401 SE 1<sup>st</sup> Avenue  
Gainesville, Florida 32601  
352.380.2400  
352.380.2424 FAX

Pensacola Division  
1 N. Palafox Street  
Pensacola, Florida 32502-5658  
850.435.8440  
850.433.5972 FAX

Tallahassee Division  
111 N. Adams Street  
Tallahassee, Florida 32301-7717  
850.521.3501  
850.521.3656 FAX

Panama City Division  
30 W. Government Street  
Panama City, Florida 32401  
850.769.4556  
850.769.7528 FAX



## The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
WWW.FLORIDABAR.ORG

State of Florida )

County of Leon )

In Re: 493041  
Brian Hugh Barr  
316 S. Baylen Street, Ste. 400  
Pensacola, Florida

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 14, 2001.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 13<sup>th</sup> day of March, 2008.

Johnny M. Smith  
Assistant Director, Membership Records  
The Florida Bar

JMS/kcth1:R106

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
YORKTOWN CENTRAL SCHOOL DISTRICT

Plaintiff,

7:07 cv. 8648 (SCR)

vs.

MONSANTO COMPANY,  
PHARMACIA CORPORATION,  
PECORA CORPORATION and  
JOHN DOES 1-20.

**ECF CASE**

**CERTIFICATE  
OF SERVICE**

Defendants.  
-----X

I, Kevin Madonna, hereby certify, under penalty of perjury, that on March 15, 2008, I will cause to be sent a copy of (1) Motion to Admit Counsels Pro Hac Vice (dated March 15, 1008); and Affidavit of Kevin J. Madonna in Support of Motion to Admit Counsels Pro Hac Vice (dated March 15, 2008), by first class mail, to the following persons:

1. Rafael Vergara, Esq.  
White & Williams, LLP  
One Penn Plaza  
18th Floor, Suite 1801  
New York, NY 10119  
Counsel for Monsanto Company & Pharmacia Corporation
2. Steven Levy, Esq.  
White & Williams, LLP  
1800 One Liberty Place  
Philadelphia, PA 19103-7395  
Counsel for Pecora Corporation

Dated: March 15, 2008

Respectfully submitted,



Kevin J. Madonna  
Kennedy & Madonna, LLP  
48 Dewitt Mills Road  
Hurley, NY 12443  
845-331-7514  
845-230-3111 (fax)